

REMARKS

Reconsideration is respectfully solicited.

The claims have been amended. A marked up version is attached hereto as an APPENDIX. A new ABSTRACT is also provided.

The specification has been amended to cross reference to the related international application and to claim priority expressly.

A new oath was forwarded to the assignee of the above-identified application but has not been returned to the offices of the undersigned. It will be filed in due course.

The abstract indicates the contaminants that are removed from the gas. Moreover, the reference to "Figure 2" has been deleted.

A new paragraph, placing the trademark NEUTREC in upper case, is also provided.

In response to Claims objections, Claims 6 and 9 have been amended to delete the phrase "in accordance with".

In view of the Examiner's suggestions, Claim 1 has been amended to conform to page 2 lines 11-15 and Claim 3 of the French PCT application which appears in the file of this case and to page 2 lines 23 et seq of the instant application specification.

Claim 2 has been amended to better define the claimed subject matter. It is supported by page 2 lines 11-15 and Claim3 of the French PCT application. By way of explanation, there is a **translation error** in the specification and in claim 2. In place of hydrocarbonate or carbonate, both claim 2 and the specification (p. 2,1. 24-29) should

mention HYDROXYCARBONATES. Support for this can be found in the French PCT application (spec. p.2, 1.11-15 and claim 3).

Applicants note the Examiner's criticism of the phrase "substantially devoid" in Claim 1. In applicants' view the phrase is clear to a layman. In applicants' view it would be more than clear to a person of some skill in the art. The USPTO has proffered no reason--or evidence--to construe that language in a way which is inconsistent with the import of its ordinary meaning. Claim 10 which recites containing less than 0.48% of silica is based on Example 1 at page 8 line 4. Claim 10 quantifies the amount of silica in the reagent.

In response to paragraph (b) on page 4 of the Office Action, applicants note that, Claim 4 doesn't contain the term "(hydr)oxide". Applicants suppose that the Examiner meant claim 1. If this assumption is correct, replacement in claim 1, of "magnesium compound comprising magnesium (hydr)oxide" by: --magnesium compound selected among magnesium oxide, magnesium hydroxide, mixtures thereof and magnesium hydroxycarbonate--is presented.

Applicants respectfully traverse the rejections of the claims under 35 U.S.C. 103(a) over German Patent No. DE 4100645 (Regler) which discloses a composition for the purification of gas comprising:

- A basic alkaline and /or alkaline earth substance;
- A basic compound comprising nitrogen for absorption of NO_x;
- An additive with large specific area, including explicitly silica to absorb certain impurities and improving the reactivity with the gas.


Applicant's composition is a non obvious selection among Regler's composition.

The selection is not obvious for the following reasons:

1. Applicant's invention is intended to solve an agglutination problem (the composition is a caking inhibitor-see claim 1-). **Regler does not mention nor suggest an agglutination problem.** As a consequence, after reading the DE 4100645 document, a person skilled in the art would not make, among Rebler's numerous compositions, the very particular selection which solves a problem not even mentioned in the document;
2. In order to reconstitute applicant's invention from DE 4100645 document, a person skilled in the art must operate successive selections
3. Regler's composition can contain silica (silica is explicitly mentioned among the possible compositions), whereas the applicant has discovered the negative effect of silica for the agglutination problem. Specifically, applicant's claims recite that the composition is substantially devoid of silica.

Withdrawal of the rejection under 35 U.S.C. 103(a) is respectfully solicited.

Respectfully submitted,



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APPENDIX

MARKED UP VERSION OF AMENDMENTS IN THE SPECIFICATION

Before line 1, page 1 change the sentence under the heading "CROSS-REFERENCE TO RELATED APPLICATION".

--This application [is related to] claims the benefit of Belgian Application No. 09700417 filed May 4, 1997, the entire specification of which is incorporated herein by reference.--

At page 1 lines 23-29 delete the paragraph and substitute therefor:

--The NEUTREC[Neutrec]® process [Solvay (Société Anonyme)] is an efficient process for purifying gases. According to this known process, sodium bicarbonate, in the form of a powder, is injected into the gas and the gas thus treated is subsequently conveyed to a filter for removal of the dust therefrom (Solvay S.A., booklet Br. 1566a-B-1-0396).--

1. (Twice Amended) Solid pulverulent reactive composition for the purification of a gas, comprising sodium bicarbonate and a caking inhibitor for sodium bicarbonate and being substantially devoid of silica, said inhibitor comprising lignite coke and/or a magnesium compound [comprising magnesium (hydr)oxide] selected from the group consisting of magnesium oxide, magnesium hydroxide, mixtures of magnesium oxide and magnesium hydroxide and magnesium hydroxycarbonate.

2. (Thrice Amended) The composition according to Claim 1, wherein said magnesium compound [comprises basic] is magnesium [hydrocarbonate] hydroxycarbonate.

6. (Twice Amended) A process for the purification of a gas, comprising introducing a reactive composition [in accordance with] of Claim 1 into the gas and subjecting the gas to removal of dust.

9. (Twice Amended) The process according to Claim 7 , wherein the reactive composition is [in accordance with] that of Claim 2.

Please add Claim 10:

--10. The process according to Claim 1 wherein said silica is one containing less than 0.48% of silica.--

VENABLE, BAETJER AND HOWARD



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